

08/477,983.

CofC



PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	08/477,983	
	Filing Date	June 7, 1995	
	First Named Inventor	Jeffrey S. RUBIN et al.	
	Group Art Unit	1647	
	Examiner Name	C.J. Saoud	
Total Number of Pages in This Submission		Attorney Docket Number	38163-0007

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Request for Cert. of Correction; Form PTO/SB/44; copy of Subst. Declaration and Power of Attorney</b>
Remarks <div style="text-align: right;"> <b>Certificate</b>  <b>DEC 05 2006</b>  <b>of Correction</b> </div>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Patricia D. Granados, Reg. No. 33,683, Customer No. 44991		
Signature			
Date	Decemeber 1, 2006		

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <input type="text"/>			
Typed or printed name	<input type="text"/>		
Signature	<input type="text"/>	Date	<input type="text"/>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DEC - 6 2006



Attorney Docket No. 38163-0007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:  
Jeffrey SCHLOM *et al.*

Confirmation No. 6629

Applic. No.: 08/477,983

Art Unit: 1647

Filed: June 7, 1995

Examiner: Albert Mark Navarro

For: EPITHELIAL CELL SPECIFIC GROWTH FACTOR, KERATINOCYTE  
GROWTH FACTOR (KGF)

Allowed: April 11, 2006

**REQUEST FOR CERTIFICATE OF CORRECTION**  
**PURSUANT TO 37 C.F.R. § 1.322**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request a Certificate of Correction, pursuant to 37 C.F.R. §1.322, to correct errors that are present in the patent incurred through the fault of the Patent and Trademark Office ("PTO"). Attached is Form PTO/SB/44, which reflects the changes listed below:

On the Title Page of the Patent under (63) Related U.S. Application Data, please change "Continuation of application No. 08/106,775, filed on Aug. 16, 1993, now abandoned, which is a continuation of application No. 07/780,845, filed on October 23, 1991, now abandoned, which is a continuation of application No. 07/304,281, filed on Jan. 31, 1989, now abandoned" to:

--Continuation of application No. 08/106,775, filed on Aug. 16, 1993, now abandoned, which is a continuation of application No. ~~07/780,845~~ 07/780,847, filed on October 23, 1991, now abandoned, which is a continuation of application No. 07/304,281, filed on Jan. 31, 1989, now abandoned--

DEC 16 2006

The attached Substitute Declaration and Power of Attorney properly referencing the related data, filed December 20, 2005, is evidence that the error incurred through the fault of the PTO.

Because the above-referenced errors were incurred through the part of the U.S. Patent Office, Applicants do not believe any fees are due with this filing, however, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 08-1641.

Please send the Certificate of Correction to:

Heller Ehrman LLP  
1717 Rhode Island Avenue, NW  
Washington, DC 20036

Applicants request a print copy of the correction cover page to Patent No. 7,026,291.

Respectfully submitted,

Date: December 1, 2006

HELLER EHRMAN LLP  
1717 Rhode Island Avenue, NW  
Washington, DC 20036  
202-912-2142 (telephone)  
202-912-2020 (telecopier)



Patricia D. Granados  
Reg. No. 33,368  
Attorney for Applicant  
Customer No. 44991

## UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION

PATENT NO : 7,026,291

DATED : April 11, 2006

INVENTOR(S) : Jeffrey S. RUBIN et al.

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

On the Title Page of the Patent under (63) Related U.S. Application Data, please change "Continuation of application No. 08/106,775, filed on Aug. 16, 1993, now abandoned, which is a continuation of application No. 07/780,845, filed on October 23, 1991, now abandoned, which is a continuation of application No. 07/304,281, filed on Jan. 31, 1989, now abandoned" to

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MAILING ADDRESS OF SENDER: Heller Ehman LLP  
1717 Rhode Island Avenue, NW  
Washington, D.C. 20036

PATENT NO. 7,026,291No  anal copies



Heller Ehrman LLP  
1717 Rhode Island Avenue, N.W.  
Washington, D.C. 20036-3001

Date: December 20, 2005

Attorney Docket No: 38163-0007

The "Received" stamp of the U.S. Patent & Trademark Office hereon acknowledges receipt of the following documents

Applicant(s): Jeffrey RUBIN et al.

Application No: 08/477,983

Application Filed: June 7, 1995

For: AN EPITHELIAL CELL SPECIFIC GROWTH FACTOR, KERATINOCYTE GROWTH FACTOR (KGF)

- (1) Transmittal
- (2) Fee Transmittal
- (3) Form PTOL-85
- (4) Substitute Declaration and Power of Attorney
- (5) Fee Address Indication Form
- (6) Check # 196640 in the amount of \$1,400

File in Mail Room  
Date Due: 12/23/05

Inspected by: Cal

Return to PDG/pdh



INDEXED

DEC 6 2006



Attorney Docket No.: 38163-0007

**SUBSTITUTE DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I HEREBY DECLARE:

THAT my residence, post office address, and citizenship are as stated below next to my name;

THAT I believe I am the original, first, and sole inventor (if only one inventor is named below) or an original, first, and joint inventor (if plural inventors are named below or in an attached Declaration) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**AN EPITHELIAL CELL SPECIFIC GROWTH FACTOR, KERATINOCYTE GROWTH FACTOR (KGF)**

the specification of which (check one)

       Is attached hereto.

  X   was filed on June 7, 1995 as U.S. Serial No. 08/477,983

THAT I do not know and do not believe that the same invention was ever known or used by others in the United States of America, or was patented or described in any printed publication in any country, before I (we) invented it;

THAT I do not know and do not believe that the same invention was patented or described in any printed publication in any country, or in public use or on sale in the United States of America, for more than one year prior to the filing date of this United States application;

THAT I do not know and do not believe that the same invention was first patented or made the subject of an inventor's certificate that issued in any country foreign to the United States of America before the filing date of this United States application if the foreign application was filed by me (us), or by my (our) legal representatives or assigns, more than twelve months (six months for design patents) prior to the filing date of this United States application;

THAT I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above;

THAT I believe that the above-identified specification contains a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention, and sets forth the best mode contemplated by me of carrying out the invention; and

THAT I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I HEREBY CLAIM foreign priority benefits under Title 35, United States Code §119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate or of

DEC 1 - 6 2006

Serial No. 08/477,983

Attorney Docket No.: 38163-0007

any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number	Country	Foreign Filing Date	Priority Claimed?	Certified Copy Attached?

I HEREBY CLAIM the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

U.S. Provisional Application Number	Filing Date

I HEREBY CLAIM the benefit under Title 35, United States Code, §120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Application Number	Parent Filing Date	Parent Patent Number
08/108,776		16 August 1993	
07/780,847		23 October 1991	
07/304,281		31 January 1989	

I HEREBY APPOINT the following registered attorneys and agents of the Office of Technology Transfer, National Institutes of Health, and the law firm of HELLER EHRMAN LLP included in the Customer Number provided below:

Customer Number 44991

and I request that all correspondence be directed to:

HELLER EHRMAN LLP  
1717 Rhode Island Avenue, NW  
Washington, DC 20036-  
Telephone: (202) 912-2000  
Facsimile: (202) 912-2020

I UNDERSTAND AND AGREE THAT the foregoing attorneys and agents appointed by me to prosecute this application do not personally represent me or my legal interests, but instead represent the interests of the legal owner(s) of the invention described in this application.

I FURTHER DECLARE THAT all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of first inventor Jeffrey S. Rubin  
Residence Potomac Bethesda, MD (JSR, 12/14/05)  
Citizenship United States 2042 (JSR, 12/14/05)  
Post Office Address (JSR, 12/14/05) CCR NCI/DBS/LCMB, Bldg. 37, Room 1E24, 37 Convent Avenue, MSC 4258, Bethesda, MD 20892-4258  
Inventor's signature 6 Jeffrey S. Rubin  
Date (JSR, 12/14/05) (JSR, 12/14/05)

Name of second inventor Paul W. Finch  
Residence Croton-on-Hudson, NY  
Citizenship United States  
Post Office Address 27 Pond Meadow Lane, Croton-on-Hudson, NY 10520  
Inventor's signature \_\_\_\_\_  
Date \_\_\_\_\_



Serial No. 08/477,983

Attorney Docket No.: 38163-0007

Name of third inventor

Stuart A. Aaronson

Residence

New York, NY

Citizenship

United States

Post Office Address

Derald H. Rittenberg Cancer Center, Mount Sinai School of  
Medicine, One Gustav L. Levy Place, Box 1130, New York,  
NY 10029-6574

Inventor's signature

Date



**SUBSTITUTE DECLARATION AND POWER OF ATTORNEY**

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**AN EPITHELIAL CELL SPECIFIC GROWTH FACTOR, KERATINOCYTE GROWTH FACTOR (KGF)**

the specification of which (check one)

☐ is attached hereto.

☒ was filed on June 7, 1995 as U.S. Serial No. 08/477,983

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DEC 6 2006

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Name of first inventor	Jeffrey S. Rubin
Residence	Bethesda, MD
Citizenship	United States
Post Office Address	NCI/DBS/LCMB, Bldg. 37, Room 1E24, 37 Convent Avenue, MSC 4255, Bethesda, MD 20892-4255
Inventor's signature	
Date	
Name of second inventor	Paul W. Finch
Residence	Croton-on-Hudson, NY
Citizenship	United States
Post Office Address	27 Pond Meadow Lane, Croton-on-Hudson, NY 10520
Inventor's signature	Paul W. Finch
Date	12/15/05

DEC - 6 2006

Serial No. 08/477,983

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United States

Post Office Address

Derald H. Rittenberg Cancer Center, Mount Sinai School of  
Medicine, One Gustav L. Levy Place, Box 1130, New York,  
NY 10029-6574

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Name of third inventor

Stuart A. Aaronson

Residence

New York, NY

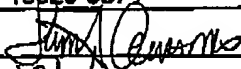
Citizenship

United States

Post Office Address

Derald H. Rittenberg Cancer Center, Mount Sinai School of  
Medicine, One Gustav L. Levy Place, Box 1130, New York,  
NY 10029-6574

Inventor's signature



Date

12/13/05